

### Town of Dover Planning Board

Town of Dover  
126 East Duncan Hill Road  
Dover Plains, NY 12522



(845) 832-6111 ext 100

Planning Board  
Monday, April 2, 2012  
7:00PM

- Co-Chair David Wylock
- Co- Chair Valerie LaRobardier
- Member Peter Muroski
- Member Michael Villano
- Member Tom Holmes

Also, in attendance representing the Planning Board was Planner Ashley Ley, Attorney Victoria Polidoro & Engineer Berger

For the Applicants: there were no other interested members of the Public.

#### Meeting Called to Order

#### Response to Town Board-

Circulation of Amendment to 125-8 of the Town Code

Co-Chair Wylock- there was quite a bit of discussion regarding this, the Board has agreed to recommend 8- 180 day extensions to equal 3.9 years as opposed to the unlimited number of extensions that were originally requested.

#### **Motion made by David Wylock to forward the Planning Board letter to the Town Board 2nd by Valerie LaRobardier**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER TOM HOLMES- ABSENT

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER MICHAEL VILLANO - AYE

*Motion approved*

Letter to be submitted to the Town Board:

Re: Proposed Local Law to Amend Chapter 125  
Planning Board Referral

Dear Supervisor Courtien and Members of the Town Board:

The Planning Board has reviewed the proposed local law to amend Chapter 125 of the Town Code, Subdivision of Land, which provides the reviewing board with discretion to extend the time in which a conditionally approved subdivision plat must be submitted for signature. The law would

supersede Section 276(7)(c) of the NYS Town Law, which currently provides for an unlimited number of 90-day extensions. The Planning Board offers the following comments for your consideration:

1. The proposed law does not limit the time period of an extension. Although NYS Town Law specifies 90-day extensions, permitting extensions for greater increments of time may be more practical. The Planning Board recommends 180-day extensions as this is consistent with the timeframe of the original approval and would be less burdensome on the applicant than 90-day extensions.

2. NYS Town Law allows for unlimited 90 day extensions. However, the Planning Board believes that this is excessive and there should be a limit on the number of extensions that can be granted. The Planning Board recommends a maximum of eight 180-day extensions for the following reasons:

- This would be consistent, but not in excess of other outside approvals, such as health department and DEC wetlands permits.
- Beyond this timeframe there could be changes in Town Code, Comprehensive Plan, or background conditions that could warrant a reconsideration of the original approval.
- If the approvals are extended indefinitely, there could be changes in board members, town staff, and/or consultants, and the institutional knowledge relating to the original application could be lost.

3. The law should clarify that extensions are granted at the reviewing board's discretion.

Thank you for the opportunity to provide comments. If you have any comments please do not hesitate to contact us.

Sincerely,

David Wylock , Planning Board Co-Chair  
Valerie LaRobardier, Planning Board Co-Chair

**ENTERTAIN REQUEST FOR EXTENSION**

**DiPasqua Pond ESC- 7159-00-447416**

**Applicant:** Michael DiPasqua    **Plans prepared by:** John Watson of Insite Engineering  
**Property located:** at 165 Duell Hollow Road, Wingdale, on 29.7 acres in the RC district  
**Application for:** an Erosion Control permit to excavate and dredge a pond  
Applicant has requested an extension of his ESC permit  
Due to work not able to take place from Hurricane Irene

Theresa Ryan- Last year we were in a hurry to get our permit since the DEC permit required all work be done between May 1 & December 30. All of the permits came together in August of last year. Right after that Hurricane Irene hit, prior to that the pond was perfect for dredging. It was almost completely dry, after the hurricane, the pond never really emptied out. The DEC permit expired September- There is a renewed DEC permit which was submitted to the Board. They now seek an extension in order to complete the proposed work.

Engineer Berger- inspected the site, it should be ready for May1, the site has been approved for moving forward.

Letter of Request:

RE: DiPasqua Property Pond Excavation Plan  
165 Duell Hollow Road  
Tax Grid No. 13-2600-7159-00-447416

Dear Chairman Wylock and Members of the Board :

As you are aware, shortly after the Erosion Control Permit for the above-referenced project was issued on August 15, 2011, the area was hit by Hurricane Irene, which inundated the pond that was to be dredged, and the pond remains full to date.

The applicant is seeking a renewal of the Erosion Control Permit to allow him to conduct the proposed pond dredging activities during the dry season this year.

Kindly place this project on the next available Planning Board agenda for discussion of, and action by the Board on, the renewal request. Should you have any questions or comments, please feel free to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

**RESOLUTION GRANTING ONE-YEAR EXTENSION OF EROSION AND SEDIMENT CONTROL PERMIT  
DIPASQUA**

April 2, 2012

Property Address: 165 Duell Hollow Road

WHEREAS, on August 12, 2011, the applicant, Michael DiPasqua, was granted an erosion and sediment control permit to dredge between 3,000 and 5,000 cubic yards of sediment from an existing pond on property located at 165 Duell Hollow Road, Wingdale, identified as Tax Parcel No. 7159-00-447416 (the "site"); and

WHEREAS, the permit was for work depicted on an erosion and sediment control plan entitled, "Pond Excavation Plan", Sheets 1 and 2 of 2, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated February 7, 2011; and

WHEREAS, on August 12, 2011, the Planning Board determined that the proposed action would not result in any significant adverse environmental impacts and adopted a negative declaration; and

WHEREAS, the applicant has obtained an Article 15 permit and a Clean Water Act Quality Certification from the Department of Environmental Conservation ("DEC"); and

WHEREAS, by letter dated March 7, 2012, the applicant requested an extension of time to complete the work authorized under the Erosion and Sediment Control Permit due to delays caused by Hurricane Irene; and

WHEREAS, pursuant to Section 65-8K of the Code, the Planning Board may grant an extension of time to complete the work authorized under an erosion and sediment control permit if, in its discretion, the Planning Board finds that such extension was warranted; and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(26), permit renewals are Type II actions requiring no further SEQRA review; and

WHEREAS, the Planning Board has considered the particular circumstances of the applicant which warrant an extension thereof.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board grants the applicant a one year extension of time to complete the work authorized under the erosion and sediment control permit granted on August 12, 2011 for disturbance as shown on the plan entitled, "Pond Excavation Plan", Sheets 1 and 2 of 2, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated February 7, 2011, subject to the following:**

1. Confirmation that the Article 15 permit from the DEC is still valid.
2. Confirmation that \$1,000.00 remains in escrow to cover the cost of site inspections by the Planning Board Engineer or Planner.
3. Confirmation that the performance guaranty in the amount of \$16,400.00 is still on file with the Town and valid.
4. Payment of all required fees and escrow.

**BE IT FURTHER RESOLVED, that before the authorized official may issue a Certificate of Compliance, the Planning Board Engineer shall provide the authorized official with a written statement indicating that all work authorized under the permit has been completed in accordance with the approved permit.**

**Moved by: Peter Muroski      Seconded by: Michael Villano**

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Tom Holmes	<u>Absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

ZINGARO PROPERTY Grid # 7259-00-088958

Applicant John Zingaro Plans Represented by Richard O'Rourke, Esq. of Keane & Beane  
Property located on Route 55 in the RC district  
Applicant requesting a 90 day extension of Final Plat - to July 23, 2012

Letter of request submitted:

**KEANE & BEANE P.C.**  
ATTORNEYS AT LAW

■ Main Office  
445 Hamilton Avenue  
White Plains, NY 10601  
Phone 914.946.4777  
Fax 914.946.6868  
■ Mid-Hudson Office  
200 Westage Business Center  
Fishkill, NY 12524  
Phone 845.896.0120

March 29, 2012

RICHARD L. O'ROURKE  
Principal Member  
ro'rourke@kblaw.com

*Via email: [PlanningARB@TownofDoverNY.us](mailto:PlanningARB@TownofDoverNY.us)*

Ms. Betty-Ann Sherer,  
Planning Board Secretary  
Town of Dover Planning Board  
Town Hall  
126 East Duncan Hill Road  
Dover Plains, New York 12522

Re: Route 55 Corp., Zingaro

Dear Betty-Ann:

As you know, Route 55 Corp. received Final Subdivision Plat and Erosion and Sediment Control Permit Approvals by Resolution dated August 2, 2010, filed with the Town Clerk's Office on August 3, 2010, and ninety-day extensions have been granted due to the continuing sluggish housing market.

The purpose of this letter is to respectfully request another ninety (90) day extension. By resolution dated January 16, 2012, the Planning Board granted an extension expiring April 23, 2012 (copy attached). Kindly have this matter placed on the next available agenda.

Thank you for your consideration.

  
Richard L. O'Rourke

RLO/mq  
Enclosure

cc: Mr. John Zingaro (Via Email [jzingaro@verizon.net](mailto:jzingaro@verizon.net))  
William Brickelmaier, P.E. (Via Email [WBrickelmaier@insite-eng.com](mailto:WBrickelmaier@insite-eng.com))  
Patrick J. O'Sullivan, Esq. (Via Email [posullivan@kblaw.com](mailto:posullivan@kblaw.com))

3507/01/419773v1 3/29/12

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**RESOLUTION GRANTING 90 DAY EXTENSION OF TIME IN WHICH TO SATISFY THE  
CONDITIONS OF FINAL SUBDIVISION PLAT APPROVAL**

**ZINGARO (ROUTE 55 CORP.)**

**April 2, 2012**

**Tax Parcel No. 7259-00-088958**

WHEREAS, on August 2, 2010, the Planning Board granted an erosion and sediment control permit and conditional final approval to an eight lot flexible subdivision plat entitled “Final Subdivision Plat known as Route 55 Corp.”, for property located on New York State Route 55, Tax Parcel No. 7259-00-088958 (the “site”); and

WHEREAS, pursuant to Section 276(7)(c) of the NYS Town Law, conditional approval of a final plat shall expire within 180 days after the resolution granting such approval unless all requirements stated in such resolution have been certified as completed; and

WHEREAS, pursuant to Section 276(7)(c) of the NYS Town Law, a planning board may extend for periods of 90 days the time in which a conditionally approved plat must be submitted for signature if, in the planning board’s opinion, such extension is warranted; and

WHEREAS, on January 3, 2011, the Planning Board granted the applicant a 90 day extension of time in which to meet the conditions of final plat approval to April 29, 2011; and

WHEREAS, on April 4, 2011, the Planning Board granted the applicant a second 90 day extension of time in which to meet the conditions of final plat approval to July 28, 2011; and

WHEREAS, on July 18, 2011, the Planning Board granted the applicant a third 90 day extension of time in which to meet the conditions of final plat approval to October 26, 2011; and

WHEREAS, on October 3, 2011, the Planning Board granted the applicant a fourth 90 day extension of time in which to meet the conditions of final plat approval to January 24, 2012; and

WHEREAS, on January 16, 2012, the Planning Board granted the applicant a fifth 90 day extension of time in which to meet the conditions of final plat approval to April 23, 2012; and

WHEREAS, by letter dated March 29, 2012, the applicant’s attorney requested a sixth 90 day extension of the time in which to meet the conditions of final plat approval; and

WHEREAS, the Planning Board has considered the particular circumstances of the applicant which warrant an extension thereof.

**NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants the applicant a sixth 90 day extension of time in which to satisfy the conditions of final plat approval to and including July 23, 2012.**

**Moved by:** Valerie LaRobardier      **Seconded by:** Pete Muroski

David Wylock	<u>Aye</u>
Valerie LaRobardier	<u>Aye</u>
Tom Holmes	<u>Absent</u>
Peter Muroski	<u>Aye</u>
Michael Villano	<u>Aye</u>

Planning Board Co-Chair David Wylock

**Discussions:**

**DOVER MOBIL SITE PLAN - 7160-00-061080**

**Applicant:** Quality Petroleum, Inc

**Plans Prepared by** John Kalin of DC Engineering PC

**Property located** at NYS RT 22, RT 55 & County Rt 21, Wingdale, NY

**Application** for Site Plan to create a gas station and convenience store with a drive through window a 3,250 sf retail convenience store on 3.370 acres of a land in the HM district

John Kalin: Some elevations have been put together for the ARB, in order to start the process of review with them. They met last week and had some good comments.

We are in the process of working with the DOT and DPW with the formation of the entrances, once the highway work permits are together, they will be submitted tot his board.

The Planner has submitted comments, Mr.Kalin's consultant had prepared a response, but he wanted to review it before submitting it to the Board.

They also have been working on the DOH permit, on big issue is the well. This will be moved from the currently proposed location to a new one further in the site. The well is a public water supply so they are working on as much separation distance as possible. He will be meeting with Jim Napoli from the Health department on this and other matters.

The Stormwater as well is being worked on, he is trying to keep the disturbance under 1 acre. The access around the pumps will be increased fro 18 to 22 on the east side. As well as an emergency by pass on the drive through lane, right now it's single.

The Heather Gierloff letter will be forwarded to the Board and Natural Heritage, landscaping, photometrics, canopy and architectural details are being worked on and a long EAF will be completed and submitted.

The traffic study will be incorporated in the EAF.

As far as the loading and unloading, originally the garbage enclosure was set up, with the thought of being done during off hours. There is consideration to moving it to another location, to prevent a garbage truck from having to back up.

Deliveries, will come in through the front of the store or from the sidewalk on the side, by the drive through lane, striping can be done for a loading/ unloading zone.

They are looking at an open set up

Q: The traffic study said there would be a right turn in and right turn out on to Rt 22, that was not clear on the plans, is that part of the proposal?

A: yes, the traffic impact study was correct; they are looking to limit the turning movement to right hand turns

Q: how are you proposing that- by signs?

A: there will be internal signs, and possibly a change in the curbs, something more like a "pork chop" or a decent sized island that will work; there is always a concern with the large trucks. DOT will help determine that. Right now there is an unregulated egress, DOT may welcome the order.

Q: there was a question about the canopy and the signage, the Co- Chair took photos of a canopy in Beekman which is a Shell and Dunkin Donuts. The Duncan Donuts portion is quite small.

Will this be 24 hours?

A: yes it will, with Duncan Donuts, there will be a small sign, once people know they are there, it will work.

Q: right now this site is like a parking lot for trailers, will that change?

A: yes it will.

Q: for the canopy- it should have a hamlet look to it

Q: On the Application, you applied for a special permit; we need clarification as to why?

A: change of use????

The sooner we have revisions, and the EAF, the sooner we can type and circulate this.

Q: If you are heading south on Rt 22, will you have to turn left onto Pleasant ridge in order to pull in?

A: correct

Q: Trucks will be able to pull in straight from rt 22 and rt 55?

A: yes

Q: will the fills for those tanks be on the south side of the tanks?

A: The way it will be set up is to fill from either side

Q: when a Mobil truck comes in to fill the tanks, where are those fill areas in the ground?

A: on the South side, they will tie up 1 diesel pump while filling

Q: will he block the entry?

A: no not at all.

Engineer Berger comments:

*I have received and reviewed the following information for the above application:*

1. *Land use application dated 05/13/11*
2. *Existing condition map & sketch site map dated 04/29/11*
3. *Letter from DC Engineering dated 04/29/11*
4. *floor plans and elevations dated March 7, 2012*
5. *Revised site with existing site, site layout and details stamped received 3/12/12*
6. *Letter from Ecological Analysis dated 2/27/12*
7. *Traffic study from John Collins, PC fated March 22, 2012*

Comments:

1. *Conceptual approval of entrance way from the NYSDOT should be provided  
We understand that this is forth coming and that the NYSDOT and DCDPW have visited the site and have verbally consented to their use.*
2. *DCHD approval will be needed for the well and SDS.*
3. *The proposed well is very close the road. Is there any other location it can go?*
4. *A SWPPP will be required as well as a full chapter 65 submissions. As this is may be considered a hot spot for stormwater limited opportunities for green practices exist. The engineer has been working with our office to develop green treatment considering the constraints of the site.*
5. *Upon submission of detailed site plan and grading plans a further review will be undertaken.*
6. *The wetland onsite is located on the southwesterly portion of the site and is being avoided by the proposed project.*
7. *A traffic study has been received prepared by John Collins, PC.  
The study states that after the site is constructed Rt 22 and CR 21 will continue to operate at level of service "B" during each of the peak AM and PM hours.*

*The NYS 22/ 55 intersection currently operates at a level of service of "C": and will continue to do so after the project is complete.*

*The proposed entrance on Rt 22 will operate at a level of service of "B" however it is recommended that the entrance be limited to a right turn in and right turn out.*

*The Pleasant Ridge (CR 21) entrance to the site will operate at a level of service of "B"*

*The internal review states that there is sufficient room to stack 9 vehicles which is adequate for the proposed peak for the site. I agree with the analysis and conclusions of the report.*

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- A-100 Floor Plan and Elevations, prepared by John Kalin, PE, dated 3/7/12
- C-110 Existing Conditions and Demolition Plan, prepared by John Kalin, PE, dated 1/11/11
- C-120 Site Layout Plan, prepared by John Kalin, PE, dated 1/11/11
- C-510 Details, prepared by John Kalin, PE, dated 1/11/11
- Traffic Impact Study (TIS), prepared by John Collins Engineers, dated March 22, 2012
- Letter from James A. Bates, CPESC, CPSWQ, Ecological Analysis, LLC, dated February 27, 2012

### **PROJECT DESCRIPTION**

The Applicant proposes a new gas station with three gasoline (one less than shown in the sketch plan submission) and two diesel pump islands, and a convenience store with a Dunkin Donuts drive-thru at 1782 Route 22, in the HM Zoning District. The site is currently improved with a diner and associated parking area which would be removed as part of the proposed project. The site is a triangular parcel bounded by NYS Route 22, Pleasant Ridge Road, and NYS Route 55. The proposed use, "Retail Business," is a use permitted by right, subject to site plan review by the Planning Board, in the HM Zoning District.

### **GENERAL COMMENTS**

1. The site is located in close proximity to NYCDEP Wetlands DP-22 (the Great Swamp) and DP-30. Per the letter from James Bates referenced above, NYSDEC has inspected the site and found that the on-site wetland is not regulated by NYSDEC. The letter references an e-mail from Heather Gierloff, NYSDEC, which should be provided to the Town.
2. The project site is identified by the NYSDEC Environmental Resource Mapper as having the potential to support threatened or endangered species. A letter from the New York Natural Heritage Program should be obtained, and the site should be evaluated for its potential to support any threatened or endangered species that may be found within the Town of Dover.
3. A lighting and landscaping plan should be provided.
4. Architectural details of the proposed canopy should be provided.
5. An expanded EAF should be provided.

### **TRAFFIC STUDY COMMENTS**

1. A table should be provided that shows the storage lengths and 95th percentile queue data for all study area intersections (including the driveway intersections).
2. The TIS should discuss parking (code and ITE) demand and supply as well as on-site pedestrian and vehicular circulation.
3. Truck turning templates for the largest delivery truck should be provided.

4. The data to support the projected queue length at the drive-through should be provided.
5. The TIS should explain why there is a 10 percent assignment difference between the arrival (35 percent) and departure (45 percent) distribution at the Route 55 driveway.
6. The TIS should explain how the right-in/right-out only movements at the Route 22 will be enforced (signage, by the physical design of the driveway, etc.).
7. No escape lane is provided at the drive through.
8. The Site Plan should include operational information, specifically, where would trucks load/unload (including garbage trucks)? And at what time of day? Where would snow piles be located?
9. The 18 foot wide lane in front of the pump island is narrow to accommodate two-way traffic flow.
10. A signage and stripping plan should be provided.
11. The traffic exiting from the drive through lane, parking area on the east side of the building and Pleasant Ridge Road driveway all converge in one area that could present circulation and safety issues. Please present the traffic control devices that would be employed to ensure safe operating conditions.
12. The applicant should provide the backup for the heavy vehicle and peak hour factors utilized in the TIS, as well as the No Build assignments.

#### SRM ENTERPRISES 7059-04-709371

APPLICANT SRM Enterprises      PLANS PREPARED BY Mark DelBalzo of Zarecki & Associates  
 PROPERTY LOCATED at 1465 NYS Rt 22, Wingdale, NY  
 APPLICATION FOR Site Plan Special Permit to construct a 2,500 sf maintenance garage  
 with parking, sub surface SDS private well and material storage on a 3.02 acre parcel  
 in the HC district

Engineer DelBalzo- Before the Board to discuss the site walk, and get additional feedback from the Board. A few items discussed were the actual location of the driveway, on comment was it could be moved closer to limit disturbance. Another discussion was a possible easement to use the current access, they are looking into it. There will also be a possibility of relocating the outside storage area.

Q: Who owns the property where the gated access is now?

A: Mr. LaMorte, Mr. Maher is looking into purchasing it.

Q: it seems to be a more direct access than what is being proposed.

A: the concern is it works well while the store front is vacant, when there is a business there, the cars from that business could make it a tight squeeze. The rental house would also be disturbed by the truck traffic.

#### **Engineer Berger:**

**Re: 1465 NYS ROUTE 22**

*The applicant is requesting site plan approval and special use permit for construction of a 2500 sf maintenance garage with office space..*

*I have received and reviewed the following information for the above applications:*

- *Land Use Application and map, dated 12/08/10 from Zarecki & Associates.*
- *Applicants letter of intent dated 12/01/10*
- *Letter of Agent dated 12/01/10*

- *Special permit/site plan discussion submission checklist*
- *Short environmental assessment form dated 12/01/10*
- *Disclosure of interest form dated 12/01/10*
- *Letter and prints from Zarecki & Associates dated 2/8/12*

***New Comments:***

1. *Storm water calculations should be included in the SWPPP showing redeveloped versus post developed stormwater runoff peaks. The SWPPP and plan should consider some form of green practice near the proposed building to assist in some reduction in runoff from the site.*
2. *The Proposed SDS and well will need DCHD approval*
3. *Screening of Rock Hill Road near the proposed new building should be provided or if screening is being provided by existing trees ,these trees should be shown on the plan.*
4. *A site walk was held with the applicant and members of the planning board on 3/14/12. At that time we reviewed the location of the drive, parking lot and proposed building. The following comments were discussed with the applicant*
  - a. *The proposed building should be screened from the driveway and the existing house with additional trees.*
  - b. *Stormwater should be collected from the roof leaders and sent to rain gardens that drain to the west and not to the east as much as possible.*
  - c. *The existing site has a storage area for construction material and equipment with access from Rt 22 across lands of :*  
*Parcel Number: 132600-7059-04-723344-0000*  
*Parcel Address: 1465 Route 22 , Dover 125940000*  
*Owner Information: La Morte, Vito (Primary)*  
*La Morte, Filomena (Additional)*

*The applicant was advised that this needs to be shown and requested that he look into the legality of this access as well as using it as the primary access point to the new building instead of building the new drive proposed. This could reduce site disturbance.*

Planner Ley - Another area of screening was near the existing house

If the alternate access is shown on the plans on a future submission, an easement would need to be provided to show legal right to use it.

Q: Are the piles of materials going to remain?

A: no, and the area will be seeded once moved.

There is a block of arborvitae shown around the building, you will probably need something more vegetated close to the ground. White Spruce may work well and they are more deer resistant.

**I. DEDRICK-HEARN LOT LINE CHANGE- 7063-15-554482 & 550474**

APPLICANT: Brian Houston for Property owners, Dedrick, Boffelli & Preuss with Hearn  
 PLANS PREPARED BY: Brian Houston  
 PROPERTY LOCATED: #'s 8,10 & 12 Mill Street, Dover

APPLICATION FOR: Lot Line changes- exchange of acreage between both property owners, with subsequent of property merging to make each remaining lot less non conforming in the HM district

Brian Houston: This property is located on Mill Street, the Dedrick insurance agency has 2 parcels of land. 1 acre and .24 acres, Hearn on the east is .26 acres. When Mr. Hearn bought the property, Mr. Houston did the survey, , it has come to their attention that the access to the insurance agency parking lot is partially on Mr. Hearn's' land. The access is 15' wide, to better provide ingress and egress, they now propose a lot line change. This will give the insurance agency a little more land in exchange for 700ths of an acre for Mr. Hearn and 200ths of an acre swap. The lots are pre existing non-conforming. The Dedricks would then combine their 2 lots to make then less non-conforming.

Engineer Berger- For the .07 acres- the location of the septic field, should be shown.

A: the manhole in front is the whole system.

This note should be clarified on the map.

*I have received and reviewed the following information for the above application:*

1. Lot Line Change Plat prepared by Brian Houston LS dated received 3/12/12
2. letter to Town Planning Board dated 3/12/12
3. Applicants letter of intent dated 3/12/12
4. Subdivision Sketch Plan application dated 3/12/12
5. Sketch Plan Checklist
6. Preliminary Plat Plan Application dated 3/12/12
7. Preliminary Plat Checklist
8. Short Form EAF dated 3/12/12
9. Disclosure of interest form dated 3/12/12
10. Letter of Agent dated 03/12/12
11. letters of authorization authorizing Jay Dedrick to deal with matters of this application before the planning board dated 3/13/12
12. copies of deeds

**Comments:**

1. Even though the changes are slight the reputed location of the SDS and method of water supply should be shown. This can be shown based on best information available.
2. In review of the subdivision plat submitted the following waived are needed and are recommended  
125-17-C, 125-17-I.

AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

1. Subdivision Plat, prepared by Brian Houston, dated March 9, 2012
2. Subdivision Application Package

The applicant proposes to merge three pre-existing non-conforming lots into two non-conforming lots. The proposed action would potentially make the existing lots less non-conforming, which is encouraged by the Town of Dover Code. A lot and bulk table with the proposed conditions is shown on the subdivision plat, however the existing conditions should also be provided to demonstrate the improved condition of the proposed action.

**Motion made by Peter Muroski to set the escrow for Dedrick Hearn Subdivision at \$2,000.00 2nd by Valerie LaRobardier**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER TOM HOLMES- ABSENT

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER MICHAEL VILLANO - AYE

*Motion approved*

**Motion made by Valerie LaRobardier to type this as an unlisted action under SEQRA 2nd by Michael Villano**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER TOM HOLMES- ABSENT

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER MICHAEL VILLANO - AYE

*Motion approved*

**Motion made by Michael Villano to set the Public Hearing for May 7, 2012 2nd by Peter Muroski**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER TOM HOLMES- ABSENT

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER MICHAEL VILLANO - AYE

*Motion approved*

**SITE WALK Discussions:**

There were 3 site walks for the month of March; one already discussed was SRM,

WESTCHESTER MODULAR HOMES - 7160-00-227678, 167667& 196673- CIRCULATION FOR LEAD- MAILED MARCH 15, 2012

There's some work to be done, grading and how the stormwater will be handled needs to be shown in greater detail. Applicant was advised to consider tying into the detention ponds across the road. They would have to work out the legality with the HOA across the road. This was just a suggestion. They do need to slow down and treat all water, since this is over 1 acre of disturbance.

The house on the west will be affected by the floodplain, there needs to be a limit of disturbance, this can be done by design change to not just send the water somewhere else.

SEQRA could certainly address this

Their Engineer needs to be more present on this project  
There are still outstanding comments from our Planner's memo, on the site plan, the proposed connections with the walk ways are incomplete.

The house furthest to the west is a concern since it has historically flooded. Possibly attaching it to the road more, would help somewhat.

Until these concerns have been addressed, there is no reason to put them back on the agenda.

**O'MARA 2 LOT SUBDIVISION 7059-00-917529-**

The applicant is looking to move towards a non realty subdivision, they will need to provide a separate map to demonstrate this. The lots are buildable, we want then to show the independence of each lot, and their engineer will also put together an easement of the neighboring driveway

**Review of Chapter 125 - Subdivision Law**

**Review of Dutchess County Department of Planning "Model Subdivision Regulations"**

We have invited Lindsay Carille who created this document for a presentation; she will be attending along with Senior Planner, Noela Hooper.

**APPROVAL OF MINUTES MARCH 5 & 19, 2012**

**Motion made by Valerie LaRobardier to approve the minutes of March 5 & 19, 2012 2nd by Michael Villano**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER TOM HOLMES- ABSENT

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER MICHAEL VILLANO - AYE

*Motion approved*

**Motion made by Peter Muroski to adjourn 7:57 2nd by Michael Villano**

VOTE: CO-CHAIR WYLOCK – AYE  
MEMBER PETER MUROSKI – AYE  
MEMBER TOM HOLMES- ABSENT

CO-CHAIR VALERIE LAROBARDIER- AYE  
MEMBER MICHAEL VILLANO - AYE

*Motion approved*

Respectfully submitted,

*Betty-Ann Sherer*

Betty-Ann Sherer

PlanningARB@TownofDoverNY.US

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All reasonable accommodations will be made for persons with disabilities. In such a case, please notify Betty-Ann Sherer in advance by phone at 845-832-6111 ext 100 so that arrangements can be made

Please call the Planning Board Office with any questions 845-832-6111 ext 100